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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,529	05/10/2007	Wolfgang Mann	GK-EIS-1109/500593.20102	7923

26418 7590 06/18/2008

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EXAMINER	
ROBINSON, RYAN C	
ART UNIT	**PAPER NUMBER**
2615	

MAIL DATE	DELIVERY MODE
06/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/585,529	MANN ET AL.	
	Examiner	Art Unit	
	RYAN C. ROBINSON	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 July 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) *1-10* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 July 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/10/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-14 are pending in the current application.

2. The examiner acknowledges the preliminary amendments filed on 7/10/2006.

3. Claims 1-9 have been canceled on 7/10/2006.

4. Claims 10-14 have been added on 7/10/2006.

Priority

5. This application claims priority from PCT application number PCT/EP2005/000137, filed on 1/10/2005, which claims priority from German Patent application number 10 2004 001 442.6, filed on 1/8/2004.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 10-14 rejected under 35 U.S.C. 103(a) as being unpatentable over Abe, U.S. Patent No. 5,095,382, published on 3/10/1992 (hereby Abe), further in view of Pinel, U.S. Patent No. 5,931,683, (hereby Pinel).

8. As to claim 10, Abe teaches a wireless headphone (Fig. 1, element 2) comprising: a headphone band (8) with electrical charging contacts (24a, 24b) in the headphone band.

It is noted, however, that Abe does not disclose that there is at least one magnet in the headphone band and that said magnets and the electrical charging contacts being associated with each other for charge contacting.

However, the use of magnets with electrical charging contacts is well known in the art. Pinel teaches a battery powered device with at least one magnet (Fig. 3, element 23), and electrical charging contacts (9A, 9B), associated with the magnet for charge contacting (Col. 2, lines 44-46).

Therefore it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate a magnet in between the contacts as taught by Pinel, in the headphones of Abe, in order to more effectively secure the headphones during charging, and ensure a proper connection.

9. As to claim 11, Abe teaches a charging station for a wireless headphone comprising: bars (Fig. 1, elements 7a, 7b) projecting out of the charging station (1) as an electrical feed line for electrical charge contacting of a wireless headphone (2) and

for receiving the wireless headphone. Abe discloses that the headphones engage with the terminals (7a, 7b) of the charging station (1), corresponding to the charging station receiving the wireless headphone.

10. As to claim 12, Abe discloses a charging station (1) with respect to claim 11, having a region with bars (7a, 7b) for receiving the wireless headphone (2). It is noted, however that Abe does not disclose at least one magnet in the region of the bars.

However, the use of magnets with electrical charging contacts is well known in the art. Pinel teaches the use of a magnet (Fig. 3, element 23), to secure the electrical charging contacts (9A, 9B) of a portable device to electrical contacts (21A, 21B) of a charging device. Though Abe does not expressly teach that the magnet is in the charging station, examiner takes official notice that no unexpected results would arise from the design choice of incorporating the magnet (23) in the charging station terminals instead.

Therefore it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate a magnet in between the contacts as taught by Pinel, in the headphones of Abe, in order to more effectively secure the headphones during charging, and ensure a proper connection.

11. As to claim 13, Abe teaches a wireless headphone system comprising a wireless headphone (Fig. 1, element 2) having a headphone band (8), electrical charging contacts (24a, 24b) in the headphone headband (8), and a charging station (1).

It is noted, however, that Abe does not disclose that there is at least one magnet in the headphone band, wherein the magnets and the electrical charging contacts are associated with each other for charge contacting. However, the use of magnets to secure electrical charging contacts is well known in the art.

Pinel teaches the use of a magnet (Fig. 3, element 23), to secure the electrical charging contacts (9A, 9B) of a portable device to electrical contacts (21A, 21B) of a charging device.

Therefore it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate a magnet in between the contacts as taught by Pinel, in the headphones of Abe, in order to more effectively secure the headphones during charging, and ensure a proper connection.

12. As to claim 14, Abe teaches a wireless headphone system comprising a (Fig. 1, element 2) having a headphone band (8), electrical charging contacts (24a, 24b) in the headphone headband (8) and a charging station (1) with respect to claim 12.

It is noted, however, that Abe does not disclose that there is at least one magnet in the headphone band, wherein the magnets and the electrical charging contacts are associated with each other for charge contacting. However, the use of magnets to secure electrical charging contacts is well known in the art.

Pinel teaches the use of a magnet (Fig. 3, element 23), to secure the electrical charging contacts (9A, 9B) of a portable device to electrical contacts (21A, 21B) of a charging device.

Therefore it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate a magnet in between the contacts as taught by Pinel, in the headphones of Abe, in order to more effectively secure the headphones during charging, and ensure a proper connection.

Conclusion

The prior art made of record

a. US Patent Number **5,095,382**

b. US Publication Number **5,931,683**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan C. Robinson whose telephone number is (571) 270-3956. The examiner can normally be reached on Monday through Friday from 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Suhan Ni, can be reached on (571) 272-7505. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Robinson

/Suhan Ni/
Primary Examiner, Art Unit 2615